

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Scott Abram

v.

Civil No. 07-cv-272-JL

Warden, New Hampshire
State Prison

PROCEDURAL ORDER

Scott Abram petitioned, pursuant to 28 U.S.C. § 2254, for relief from his state court conviction. Abram and the Warden moved for summary judgment.¹ In his opposition to the Warden's motion, Abram asserted that the record should be supplemented to include certain statements that were provided to the trial court during a hearing on March 24, 2004.

On August 28, 2008, the court denied the motions for summary judgment without prejudice to filing motions after the parties addressed the issue of supplementing the record, as outlined in that order. Abram filed a motion to supplement the record which was granted on October 3, 2008. The parties filed an assented-to motion to seal the documents filed to supplement the record, which was granted. The documents were filed, under seal, on October 16, 2008.

¹As noted in the order issued on August 28, 2008, Abram, who is represented by counsel, did not properly file or support his own motion or oppose the Warden's motion. See LR 7.1(a)(1) & 7.1(a)(2).

It now appears that the record is complete for purposes of deciding this case. Therefore, the parties shall file motions for summary judgment, which take into consideration the expanded record and comply with Federal Rule of Civil Procedure 56 and the local rules of this district, **on or before April 15, 2009**. Their responses to the motions are due thirty days from the date the motion is filed.

SO ORDERED.



Joseph N. LaPlante
United States District Judge

Dated: March 20, 2009

cc: Paul J. Garrity, Esq.
Stephen D. Fuller, Esq.
Ann M. Rice, Esq.